

TRANSMITTAL FORM

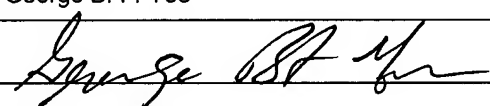
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/659,737
		Filing Date	September 9, 2003
		First Named Inventor	Victor B. Kley
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	8 **	Attorney Docket Number	020921-001930US

ENCLOSURES (Check all that apply)

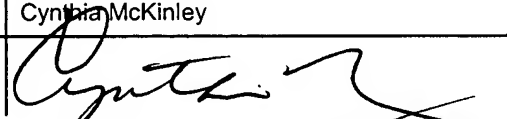
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): USPTO forms SB08A & SB08B (5 pages), copies of 23 cited references, Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		
** References not included in the total number of this submission		

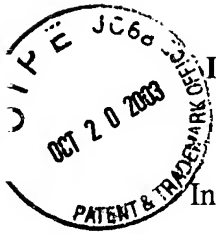
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP	
	George B. F. Yee	Reg. No. 37,478
Signature		
Date	October 16, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Cynthia McKinley		
Signature		Date	October 16, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Victor B. Kley

Application No.: 10/659,737

Filed: September 9, 2003

For: FLUID DELIVERY FOR
SCANNING PROBE MICROSCOPY

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign patent and non-patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

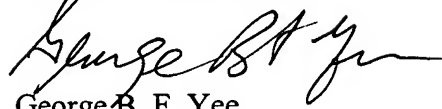
As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Victor B. Kley
Application No.: 10/659,737
Page 2

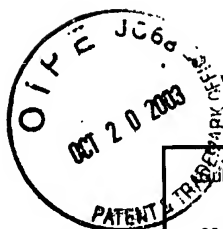
PATENT

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George B. F. Yee".

George B. F. Yee
Reg. No. 37,478

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60056096 v1



Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/659,737
		Filing Date	September 9, 2003
		First Named Inventor	Victor B. Kley
		Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet 1	of 5	Attorney Docket Number	020921-001930US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	6,517,249	02-11-2003	Doll	
	2	6,353,219	03-05-2002	Kley	
	3	2002/0007667	01-24-2002	Pohl et al.	
	4	6,340,813	01-22-2002	Tominaga et al.	
	5	6,337,479	01-08-2002	Kley	
	6	6,265,711	07-24-2001	Kley	
	7	6,252,226	06-26-2001	Kley	
	8	6,229,138	05-08-2001	Kley	
	9	6,229,609	05-08-2001	Muramatsu et al.	
	10	6,144,028	11-07-2000	Kley	
	11	6,101,164	08-08-2000	Kado et al.	
	12	6,066,265	05-23-2000	Galvin et al.	
	13	6,031,756	02-29-2000	Gimsewski et al.	
	14	5,922,214	07-13-1999	Liu et al.	
	15	5,883,387	03-16-1999	Matsuyama et al.	
	16	5,874,726	02-23-1999	Haydon	
	17	5,865,978	02-02-1999	Cohen	
	18	5,825,670	10-20-1998	Chernoff et al.	
	19	5,821,410	10-13-1998	Xiang et al.	
	20	5,763,879	06-09-1998	Zimmer et al.	
	21	5,756,997	05-26-1998	Kley	
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	23	5,721,721	02-24-1998	Yanagisawa	
	24	5,717,680	02-10-1998	Yamano	
	25	5,679,952	10-21-1997	Lutwyche et al.	
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	27	5,634,230	06-03-1997	Maurer	
	28	5,623,476	04-22-1997	Eguchi	
	29	5,610,898	03-11-1997	Takimoto	
	30	5,602,820	02-11-1997	Wickramasinghe et al.	
	31	5,583,286	12-10-1996	Matsuyama	
	32	5,560,244	10-01-1996	Prater et al.	
	33	5,559,328	09-24-1996	Weiss et al.	
	34	5,548,117	08-20-1996	Nakagawa	
	35	5,519,686	05-21-1996	Yanagisawa et al.	
	36	5,510,615	04-23-1996	Ho et al.	
	37	5,506,829	04-09-1996	Yagi	
	38	5,502,306	03-26-1996	Meisburger et al.	
	39	5,495,109	02-27-1996	Lindsay et al.	
	40	5,490,132	02-06-1996	Yagi et al.	
	41	5,472,881	12-05-1995	Beebe et al.	
Examiner Signature				Date Considered	

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60056096 v1



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Sheet 2	of 5	Attorney Docket Number	020921-001930US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	42	5,471,458	11-28-1995	Oguchi et al.	
	43	5,463,897	11-07-1995	Prater et al.	
	44	5,461,605	10-24-1995	Takimoto	
	45	5,455,420	10-03-1995	Ho et al.	
	46	5,453,970	09-26-1995	Rust et al.	
	47	5,426,631	06-20-1995	Miyazaki et al.	
	48	5,418,363	05-23-1995	Elings et al.	
	49	5,416,331	05-16-1995	Ichikawa et al.	
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	53	5,408,094	04-18-1995	Kajimura	
	54	5,396,483	03-07-1995	Matsida	
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	61	5,357,110	10-18-1994	Statham	
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	63	5,354,985	10-11-1994	Quate	
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	65	5,349,735	09-27-1994	Kawase	
	66	5,343,460	08-30-1994	Miyazaki	
	67	RE34708	08-30-1994	Hansma et al.	
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	74	5,308,974	05-03-1994	Elings et al.	
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	78	5,289,408	02-22-1994	Mimura	
	79	5,289,044	02/22/1994	Okada et al.	
	80	5,283,437	02-01-1994	Greshner et al.	
	81	5,278,704	01-11-1994	Matsuda	
	82	5,276,672	01-04-1994	Miyazaki	
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		Number Kind Code ² (if known)			
	83	5,260,824	11-09-1993	Okada et al.	
	84	5,254,854	10-19-1993	Betzig	
	85	5,249,077	09-28-1993	Laronga	
	86	5,241,527	08-31-1993	Eguchi	
	87	5,231,286	07-27-1993	Kajimura et al.	
	88	5,220,555	06-15-1993	Yanagisawa	
	89	5,216,631	06-01-1993	Sliwa	
	90	5,210,410	05-11-1993	Barret	
	91	RE34214	04-06-1993	Carlsson et al.	
	92	5,187,367	02-16-1993	Miyazaki	
	93	5,166,520	11-24-1992	Prater et al.	
	94	5,155,589	10-13-1992	Gere	
	95	5,148,308	09-15-1992	Kopelman	
	96	5,142,145	08-25-1992	Yasutake	
	97	5,138,159	08-11-1992	Takase et al.	
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	99	5,108,865	04-28-1992	Zwaldo et al.	
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	102	5,081,390	01-14-1992	Elings et al.	
	103	5,072,116	12-10-1991	Kawade et al.	
	104	5,047,649	09-10-1991	Hodgson et al.	
	105	5,047,633	09-10-1991	Finlan et al.	
	106	5,043,577	08-27-1991	Pohi	
	107	5,038,322	08-06-1991	Van Loenen	
	108	5,025,346	06-18-1991	Tang	
	109	5,018,865	05-28-1991	Ferrell et al.	
	110	5,015,850	05-14-1991	Zdeblick	
	111	5,010,249	04-23-1991	Nishikawa	
	112	5,001,344	03-19-1991	Kato et al.	
	113	4,999,495	03-12-1991	Miyata et al.	
	114	4,954,704	09-04-1990	Elings et al.	
	115	4,924,091	05-08-1990	Hansma et al.	
	116	4,907,195	03-06-1990	Kazan et al.	
	117	4,866,986	09-19-1989	Cichanski	
	118	4,831,614	05-16-1989	Duerig	
	119	4,793,201	12-27-1988	Kanai et al.	
	120	4,697,594	10-06-1987	Mayo, Jr.	
	121	4,681,451	07-21-1987	Guerra et al.	
	122	RE32457	07-07-1987	Matey	
	123	4,673,477	06-16-1987	Ramalingam et al.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 5

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Application Number	10/659,737
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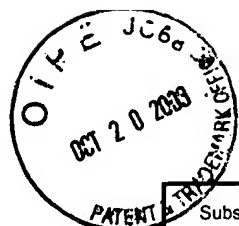
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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	124	4,672,559	06-09-1987	Jansson et al.	
	125	4,604,520	08-05-1986	Pohl	
	126	4,115,806	09-19-1978	Morton	
	127	3,812,288	05-21-1974	Walsh et al.	
	128	3,586,865	06-22-1971	Baker et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	129	PCT	WO 01/03157		01-11-2001			
	130	PCT	WO 98/34092	A2	08-06-1998			
	131	PCT	WO 97/04449		02-06-1997			
	132	PCT	WO 96/03641	A1	02-08-1996			
	133	JP	7-105580		04-21-1995			yes
	134	JP	61-133065		06-20-1986			abstract only
	135	JP	1-262403		10-19-1989			abstract only
	136	EP	0325056		07-26-1989			

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				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	5	of	5	Attorney Docket Number	020921-001930US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	137	AGER et al., "Multilayer hard carbon films with low wear rates," <u>Surface and Coatings Technology</u> , 91:91-94 (1997).	
	138	BETZIG et al "Near-Field Optics: Microscopy Spectroscopy and Surface Modification Beyond the Diffraction Limit" <u>Science</u> 257:(1992).	
	139	DAI et al. " Nanotubes as nanoprobe in scanning probe microscopy," <u>Nature</u> 384:147-150 (1996).	
	140	DAVIS "Deposition characterization and device development in diamond silicon carbide and gallium nitride thin films" <u>J. Vac. Sci. Technol. A</u> 11(4). Jul./Aug. (1993).	
	141	DIAZ et al., An Improved Fabrication Technique for Porous Silicon, <u>Rev. Sci. Instrum.</u> 64 (2), Feb. 1993, pp. 507-509.	
	142	GIVARGIZOV et al "Growth of diamond particles on sharpened silicon tips" <u>Materials Letters</u> 18:(1993).	
	143	GOMYO et al. Effect of Electrochemical Treatments on the Photoluminescence from Porous Silicon, <u>J. Electrochem. Soc.</u> , vol. 139, No. 9, Sep. 1992, pp. L86-L88.	
	144	NOSSARZEWSKA-ORLOWSKA et al., Photoluminescence Properties of Porous Silicon Prepared by Electrochemical Etching of Si Epitaxial Layer, <u>Acta Physica Polonica A</u> , No.4. vol. 84 (1993), pp. 713-716.	
	145	RASMUSSEN et al. "Fabrication of an All-metal Atomic Force Microscope Probe," <u>IEEE</u> (1997).	
	146	ROSSOW et al., Influence of the Formation Conditions on the Microstructure of Porous Silicon Layers Studied by Spectroscopic Ellipsometry, <u>Thin Solid Films</u> , 255 (1995), pp. 5-8.	
	147	SMESTAD et al., Photovoltaic Response in Electrochemically Prepared Photoluminescent Porous Silicon, <u>Solar Energy Materials and Solar Cells</u> , 26 (1992), pp. 277-283.	
	148	TANG "Electrostatic comb drive for resonant sensor and actuator applications," Abstract of dissertation at the University of California at Berkeley (1990).	
	149	TOLEDO-CROW et al "Near-field differential scanning optical microscope with atomic force regulation" <u>Appl. Phys. Lett.</u> 60: (1992).	
	150	VAN HULST et al "Near-field optical microscope using a silicon-nitride probe" <u>Appl. Phys. Lett.</u> 62: (1993).	
	151	WATSON et al "The Radiation Patterns of Dielectric Rods—Experiment Theory" <u>Journal of Applied Physics</u> 19: (1948).	

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